

32ND ANNUAL
DAVID W. ROBERTSON ADMIRALTY AND
MARITIME LAW CONFERENCE
HOUSTON, TEXAS

February 2, 2024

**A VIEW FROM THE BENCH:
ADMIRALTY LAW IN THE FIFTH**

Honorable Jennifer Walker Elrod
United States Court of Appeals
for the Fifth Circuit
Houston, Texas

Kenneth G. Engerrand
President, Brown Sims, P.C.
Houston, Texas

TABLE OF CONTENTS

1. *Douglass v. Nippon Yusen Kabushiki Kaisha*, 46 F.4th 226 (5th Cir. 2022) (en banc)
2. *Poincon v. Offshore Marine Contractors, Inc.*, 9 F.4th 289 (5th Cir. 2021)
3. *Beech v. Hercules Drilling Co.*, 691 F.3d 566 (5th Cir. 2012)
4. *SCF Waxler Marine, L.L.C. v. ARIS T M/V*, 24 F.4th 458 (5th Cir. 2022)
5. *United States v. Nature's Way Marine, L.L.C.*, 904 F.3d 416 (5th Cir. 2018)

1. ***Douglass v. Nippon Yusen Kabushiki Kaisha***,
46 F.4th 226 (5th Cir. 2022) (en banc)

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 30, 2021

Lyle W. Cayce
Clerk

No. 20-30382

STEPHEN DOUGLASS, *individually and as personal representative of* THE ESTATE OF SHINGO ALEXANDER DOUGLASS; DORA HERNANDEZ, *individually and as personal representative of* THE ESTATE OF NOE HERNANDEZ; LAN HUYNH, *individually and as personal representative of* THE ESTATE OF NGOC TRUONG HUYNH; DARROLD MARTIN, *individually and as personal representative of* THE ESTATE OF XAVIER ALEC MARTIN; ERIN REHM, *individually and as personal representative of* THE ESTATE OF GARY LEO REHM, Jr.; LLOYD WAYNE RIGSBY, JR., *individually and as personal representative of* THE ESTATE OF DAKOTA KYLE RIGSBY; CARMEN SIBAYAN, *individually and as personal representative of* THE ESTATE OF CARLOS VICTOR GANZON SIBAYAN,

Plaintiffs—Appellants,

versus

NIPPON YUSEN KABUSHIKI KAISHA,

Defendant—Appellee,

CONSOLIDATED WITH

No. 20-30379

Also available as part of the eCourse

[A View from the Bench: Admiralty Law in the Fifth Circuit](#)

First appeared as part of the conference materials for the
32nd Annual David W. Robertson Admiralty and Maritime Law Conference session
"A View from the Bench: Admiralty Law in the Fifth Circuit"